

Smith et al., 10/743936

AF Remarks, p. 2

Summary of Invention

The invention embraces formation of wide paint film parts, which are wider than the paint film sheet stock from which the parts are made (page 2, lines 21-22). This advance has many advantages heretofore unknown to the art, among which are that the paint film industry is now not necessarily limited with respect to sheet width such that many wide products, for example, tonneau covers, can now be made with paint film sheet stock, thus avoiding hazards associated with spray or electrostatic painting of wide parts otherwise made by known technology, and reducing manufacturing costs (page 2, line 23, to page 3, line 2). Methodology as in claims 10 et seq. can include:

- providing apparatus for forming wide paint film parts, having a frame; and, attached to the frame, at least two paint film stock grasping members, which generally oppose one another, which can grasp deformable paint film stock, at least one of which can be moved apart from the other while the stock is grasped (page 7, full paragraph; paragraphs bridging pages 7-9 and 10-11: FIGS. 1-20, feature Nos. 7, 8, 10, 50/60, 100);

- providing deformable paint film stock, which is:
 - in a form of a discrete, substantially planar sheet, made of a laminate material including a deformable base having a paint film laminated thereon that provides a painted surface finish, and
 - able to be itself formed into a part through vacuum pressure molding

- (page 1, third paragraph; paragraphs bridging pages 7-9 and 10-11: FIGS. 9 and 21, feature Nos. 7, 8, 9);

- grasping the stock sheet on generally opposing sides by at least two paint film stock grasping members (page 8, lines 2-5; page 10, lines 17-21; FIG. 9, feature Nos. 7, 8, 50/60); and

- moving, while the stock is so grasped, the at least one of the at least two paint film stock grasping members apart from the other so as to draw or stretch the stock between the at least two paint film stock grasping members in the plane of the sheet so as to form a planarly drawn or stretched planar laminate paint film sheet that retains a painted surface finish (sentence bridging pages 5-6; page 8, lines 17-20; page 10, lines 22-24; page 11, lines 10-12; FIG. 9, feature Nos. 7, 8, 50/60).

Heat can be applied to the stock sheet to facilitate stretching, as set forth in claim 11 (page 10, antepenultimate to penultimate lines; page 11, lines 5-12). The stock sheet can be stretched to at least about 125% of at least one of its original dimensions it had before stretching, as in claim 12 (page 6, lines 14-20). The deformable base of the stock sheet can be a thermoformable material, as in claim 20 (page 10, antepenultimate to penultimate lines; page 11, lines 1-12). The stock sheet can be loaded in the apparatus, and grasped by the paint film stock grasping members through jaws associated with said members; then the stock sheet in the loaded apparatus can be softened by heating; and then the stock sheet can be drawn or stretched, as set forth in

Smith et al., 10/743936

AF Remarks, p. 3

claim 21 (page 9, lines 2-10; page 10, lines 14-25; page 11, lines 1-12; FIGS. 1-20, feature Nos. 7, 8, 60). The softened stock sheet can be drawn or stretched along at least two non-parallel axes in the plane, as in claim 22 (page 6, lines 11-14; page 8, lines 17-20; FIG. 9, feature Nos. 7, 8). The stock sheet can be substantially rectangular or square, as in claim 23 (page 6, lines 12-14; FIG. 9, feature Nos. 7, 8); two of the at least two non-parallel axes can be substantially orthogonal to one another, as in claim 24 (sentence bridging pages 7-8; FIG. 9, feature Nos. 7, 8, 50/60); and the stock sheet and apparatus loaded with it can be moved into an oven for heating, and then drawn or stretched, as in claim 25 (page 11, lines 3-12). The drawn or stretched planar laminate paint film sheet can be further subject to vacuum or pressure molding to form a three dimensional wide paint film stock part, as set forth in claims 26 and 29 (page 7, lines 4-18; FIG. 21, feature No. 9); the drawn or stretched planar laminate paint film sheet can be substantially cooled before it is further subject to the molding, as in claims 27 and 30 (page 7, lines 4-6); or a mold can be moved into position with respect to the drawn or stretched planar laminate paint film sheet to subject it to the molding, without substantial cooling of the drawn or stretched planar laminate paint film sheet, as in claims 28 and 31 (page 7, lines 6-8; page 11, line 13). Withdrawn product by process claims 32-35, under petition to withdraw their restriction, are likewise supported.

Issues

The issues presented for review are these:

1. Are not claims 10, 11 and 20-31 patentable under the meaning of 35 USC 103(a) over patent No. 2,759,217 to Peterson in view of patent No. 5,760,122 to Susa et al.?
2. Is not claim 12 patentable under the meaning of Sec. 103(a) over Peterson in view of Susa et al., further in view of patent No. 6,487,902 to Ghosh?

Grouping of Claims

None of the claims stands nor falls with another.

Argument

In the record and in this paper, all rejections and adverse statements are traversed. The following is contended in support of the patentability of the present claims:

Overall, neither artificial combination teaches nor suggests the claimed invention to an ordinary artisan of the pertinent art of paint film sheet technology under the meaning of Sec. 103(a). Nonanalogous art has been applied; the prior art has been misapprehended, misread or dismissed, including teachings away; fabrications have been made and deemed prior art; and pertinent claim limitations have been ignored.